



E-Filed on 4/24/09

1 3993 Howard Hughes Parkway, Suite 600
 Las Vegas, NV 89169-5996
 Facsimile (702) 949-8321
 Telephone (702) 949-8320

2 Susan M. Freeman AZ State Bar No. 004199
 Email: sfreeman@lrlaw.com
 Rob Charles NV State Bar No. 006593
 Email: rcharles@lrlaw.com
 John Hinderaker AZ State Bar No. 018024
 Email: jhinderaker@lrlaw.com

3 Attorneys for USACM Liquidating Trust

4

5

6 **UNITED STATES BANKRUPTCY COURT**

7 **DISTRICT OF NEVADA**

8 In re:

9 USA COMMERCIAL MORTGAGE
 COMPANY,

10 USA CAPITAL REALTY ADVISORS, LLC,¹

11 USA CAPITAL DIVERSIFIED TRUST DEED
 FUND, LLC,

12 USA CAPITAL FIRST TRUST DEED FUND,
 LLC,²

13 USA SECURITIES, LLC,³

14 Debtors.

15 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR
 Case No. BK-S-06-10726-LBR¹
 Case No. BK-S-06-10727-LBR
 Case No. BK-S-06-10728-LBR²
 Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**NOTICE OF HEARING REGARDING
 OBJECTION OF USACM TRUST TO
 PROOFS OF CLAIM OF DEVELOPERS
 CAPITAL FUNDING, CORP.; AND
 CERTIFICATE OF SERVICE**

Hearing Date: June 12, 2009

Hearing Time: 9:30 a.m.

20 **THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM**
 21 **THAT YOU FILED. The USACM Trust seeks to disallow your claim.**

22 **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY**
 23 **COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS**

25 ¹ This bankruptcy case was closed on September 23, 2008.

26 ² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.

LEWIS
AND
ROCA
LLP
LAWYERS

1 **REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM**
2 **SHOULD BE DIRECTED TO BRANT FYLLING AT SIERRA GROUP**
3 **CONSULTING, LLC (602-424-7009) OR TO THE UNDERSIGNED COUNSEL.**

4 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust by and
5 through its counsel, has filed an Objection of USACM Trust to Proofs of Claim of
6 Developers Capital Funding, Corp. (with Certificate of Service) (the "Objection"). The
7 USACM Trust respectfully requests that the Court enter an order pursuant to § 502 of title
8 11 of the United States Code (the "Bankruptcy Code") disallowing your claim against
9 USACM.

10 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held
11 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal
12 Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on
13 June 12, 2009, at the hour of 9:30 a.m.

14 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON JUNE 12,**
15 **2009, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND**
16 **SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE**
17 **HEARD ON THAT DATE.**

18 **NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed
19 by June 5, 2009, pursuant to Local Rule 3007(b), which states:

20 If an objection to a claim is opposed, a written response must
21 be filed and served on the objecting party at least 5 business
22 days before the scheduled hearing. A response is deemed
23 sufficient if it states that written documentation in support of
24 the proof of claim has already been provided to the objecting
25 party and that the documentation will be provided at any
26 evidentiary hearing or trial on that matter.

LEWIS
AND
ROCA
LLP
LAWYERS

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: April 24, 2009.

LEWIS AND ROCA LLP

By: /s/ John Hinderaker (AZ# 18024)
Rob Charles, NV 6593
John Hinderaker, AZ 18024
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320
Counsel for USACM Liquidating Trust

LEWIS
AND

ROCA
LLP

L A W Y E R S

1 Copy of the foregoing mailed by first class

2 Postage prepaid U.S. mail

3 On April 24, 2009 to:

4 Developers Capital Funding Corp
5 4500 S Lakeshore Dr Ste. 322
6 Tempe, AZ 85282-7190

7 /s/ Carrie Lawrence

8 Carrie Lawrence

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26